

REGULAR MEETING

MAYOR AND BOARD OF TRUSTEES, VILLAGE OF BURR RIDGE, IL

MARCH 9, 2009

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of March 9, 2009 was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:00 p.m. by Mayor Grasso.

PLEDGE OF ALLEGIANCE was conducted by Jack Brennan of St. Isaac Jogues School.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Sodikoff, Wott, Paveza, Allen, Grela, DeClouette & Mayor Grasso. Also present were Village Administrator Steve Stricker, Community Development Director Doug Pollock, Director of Public Works Paul May, Police Chief Herb Timm, Finance Director Jerry Sapp, Deputy Police Chief John Madden, Village Clerk Karen Thomas and Village Attorney Scott Uhler.

There being a quorum, the meeting was open to official business.

AUDIENCE Joseph Holoubek, 7870 Circle Drive, spoke about the escalating problem with coyotes.

Mr. Stricker said this is a regional problem. He has spoken to Village Managers who have the problem in even more urban areas than Burr Ridge. The county officials take the position that the coyotes should just be left alone and trapping companies have stated they are almost impossible to trap. There have not been any reports in the area of a coyote attacking a human. Mr. Stricker stated there have been complaints from residents about too many deer also.

Chief Timm stated it seems the coyotes are becoming bolder and are also more concentrated in this area. It is a difficult process to eradicate them. He warned that they can become more aggressive if in a pack.

CONSENT AGENDA – OMNIBUS VOTE After reading the Consent Agenda by the President, motion was made by Trustee Grela and seconded by Trustee DeClouette that the Consent Agenda – Omnibus Vote, (attached as Exhibit A), and the recommendations indicated for each respective item, be hereby approved.

On Roll Call, Vote Was:

AYES: 6 – Trustees Grela, DeClouette, Sodikoff, Wott, Paveza & Allen

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

MINUTES – REGULAR MEETING OF FEBRUARY 23, 2009
publication under the Consent Agenda by Omnibus Vote.

were approved for



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MINUTES – (DRAFT) VETERANS MEMORIAL COMMITTEE MEETING OF FEBRUARY 25, 2009 were noted as received and filed under the Consent Agenda by Omnibus Vote.

MINUTES – (DRAFT) HOTEL MARKETING SUB COMMITTEE MEETING OF MARCH 2, 2009 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECOMMENDATION TO APPROVE SIGN VARIATIONS AND CONDITIONAL SIGN APPROVAL (S-02-2009: 6800 NORTH FRONTAGE ROAD – BURR RIDGE MEDICAL CENTER) The Board, under the Consent Agenda by Omnibus Vote, accepted the Plan Commission's recommendation and directed the preparation of the Ordinance granting sign variations and conditional sign approval to permit a wall sign and a ground sign at 6800 North Frontage Road.

RECOMMENDATION TO APPROVE VARIATIONS REVERSING FRONT AND CORNER LOT LINES AND REDUCING REAR YARD SETBACKS (V-01-2009: 8100 RIDGEPOINTE DRIVE – KUHLMAN) The Board, under the Consent Agenda by Omnibus Vote, accepted the Plan Commission's recommendation and directed the preparation of the Ordinance granting a variation to permit the lot line adjacent to Ridgepointe Drive to be redefined as the front lot line and the west lot line to be considered the rear lot line rather than the requirement that the front lot line be the more narrow frontage of a corner lot and a variation to permit the existing single family residence to be setback approximately 30 feet from the newly defined rearyard setback rather than the required 50 feet for 8100 Ridgepointe Drive.

RECOMMENDATION TO PURCHASE ROAD SALT FOR FY 09-10 The Board, under the Consent Agenda by Omnibus Vote, authorized the submittal of the Joint Purchasing Requisition for 1,800 tons of road salt in FY 09-10 with the Illinois Department of Central Management Services.

RECOMMENDATION TO REAPPOINT SANDRA ALLEN TO THE BOARD OF FIRE AND POLICE COMMISSIONERS FOR A THREE YEAR TERM EXPIRING APRIL 30, 2012 The Board, under the Consent Agenda by Omnibus Vote, accepted the Mayor's recommendation to reappoint Sandra Allen to the Board of Fire and Police Commissioners for a three year term expiring April 30, 2012.

REQUEST FOR RAFFLE LICENSE FOR DISTRICT 106 EDUCATION FOUNDATION AND HOSTING FACILITY LICENSE FOR THE MARRIOTT HOTEL The Board, under the Consent Agenda by Omnibus Vote, approved the issuance of a raffle license to District 106 Education Foundation and the Marriott Hotel as the hosting facility for a fundraising event to be held on March 14 and waived the requirement for a fidelity bond.



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REQUEST FOR RAFFLE LICENSE FOR GOWER PTO AND HOSTING FACILITY LICENSE FOR GOWER MIDDLE SCHOOL The Board, under the Consent Agenda by Omnibus Vote, approved the issuance of a raffle license to Gower PTO and Gower Middle School as the hosting facility for a fundraising event to be held on March 20 and waived the requirement for a fidelity bond.

VOUCHERS in the amount of \$268,103.45 for the period ending March 9, 2009 and payroll in the amount of \$195,295.78 for the period ending February 21, 2009 were approved for payment under the Consent Agenda by Omnibus Vote.

ORDINANCE AMENDING SECTION 58.01 OF CHAPTER 58 (WATER WORKS SYSTEM) OF THE BURR RIDGE MUNICIPAL CODE

Mr. Stricker explained that this item was tabled from the last meeting. A rate analysis was provided using four scenarios for Board consideration. The Board may or may not wish to move forward with this now but instead wait for the budget presentation. The four scenarios:

1. No increase – the deficit would be over ½ million dollars this year if that were to occur.
2. Increase in rates needed to cover the increase in cost of water purchased from Bedford Park (12.5%)
3. Water rates increased at 15%.
4. Water rates increased to cover all operating expenses in the Water Fund, less Capital Projects (25.4%).

He continued that if just the increased cost of water was passed along, in order to cover the cost of \$340,000, the rates would have to be raised a minimum of 12.5%. The 12.5% would still leave the budget in a deficit situation of over \$200,000. If rates were raised 15%, as recommended at the last meeting, the deficit would be reduced to \$140,000.

Mr. Stricker believes the Water Fund has to operate as a business. His philosophy has always been that the water rate should equal the operating expenses minus any of the capital projects. To do that, the rate would have to increase by 25.4%. In doing so, a surplus of \$143,000 would be shown. He continued that the Village has not, however, operated that way for a number of years. The pay-as-you-go philosophy instead has prevailed over the years.

Motion was made by Trustee Paveza and seconded by Trustee Wott to table this item to the March 23rd Board Meeting.

On Voice Vote, the motion carried.



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**RESOLUTION AUTHORIZING AN AGREEMENT WITH COMMONWEALTH EDISON
CONCERNING THE 138 KV TRANSMISSION LINE AREA**

Mayor Grasso reported that Commonwealth Edison has agreed to share in the cost of the tree inventory for the property between 81st and 83rd Streets. They have agreed to a 50/50 split up to \$4,000 of the Forester's bill. The Resolution was adopted at the last meeting subject to this condition so no action is necessary.

**RESOLUTION APPROVING AGREEMENT BETWEEN THE VILLAGE OF BURR
RIDGE AND OPUS REAL ESTATE, INC. REGULATING THE PARKING OF MOTOR
VEHICLES AND CONTROLLING MOTOR VEHICLE TRAFFIC IN THE BURR RIDGE
VILLAGE CENTER**

Village Administrator Steve Stricker explained that this agreement is between the Village and Opus Real Estate Illinois. It is the standard agreement to regulate parking and moving vehicle traffic on private property. It was modeled specifically for the Village Center. In addition to allowing the Burr Ridge Police Department to enforce all posted traffic regulations within the development, it allows the Village to remove abandoned vehicles and also creates a code of conduct concerning behavior by invitees and guests at the Village Center.

Motion was made by Trustee Wott and seconded by Trustee Paveza to adopt the Resolution as presented.

On Roll Call, Vote Was:

AYES: 6 – Trustees Wott, Paveza, Allen, Grela, DeClouette & Sodikoff

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

THIS IS RESOLUTION NO. R-06-09

**COMMONWEALTH EDISON'S PROPOSED PLANS TO REMOVE/TRIM TREES UNDER
TRANSMISSION LINES THROUGHOUT BURR RIDGE**

Mr. Stricker reported that the work has already been done between 81st and 83rd. There were no complaints from residents. The Forester is in the process of doing the tree inventory for the other areas and should have it completed within the next couple of weeks.

Mayor Grasso stated he was hoping to hold a meeting on March 30 to present the residents in the affected areas with the result of the inventory and the Village's alternative plan. The residents will have the opportunity to choose either the ComEd plan for tree removal and landscaping or the Village's plan tree removal and trimming.



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RECOMMENDATION TO APPROVE SPECIAL USE (Z-01-2009: 6800 NORTH FRONTAGE ROAD – BURR RIDGE MEDICAL CENTER)

Doug Pollock, Community Development Director, presented the Plan Commission's recommendation to approve amendments to the special use and variations approved in 2007/2008. This is a request from Burr Ridge Medical Center LLC for an office building at the northeast corner of I-55 and County Line Road. The special use is for a medical office building in the Light Industrial District and the variation was for building height. He explained that this could have been on the Consent Agenda but there would not have been the opportunity to show the rendering of the beautiful building that the petitioner is planning at this location, as well as to mention that the primary tenant will be Loyola Medical Group.

The Petitioner worked closely with the Plan Commission and made some changes to the buildings and the site plan. They unanimously recommend approval to the changes relative to the original approval of the special use and the variation.

Bernard Sheehan of Blackhawk Medical, 136 Shore Drive, showed the rendering of the building and explained some of the changes.

Motion was made by Trustee Paveza and seconded by Trustee DeClouette to accept the Plan Commission recommendation and direct staff to prepare an ordinance approving the amendments to the special use and variation approvals.

On Roll Call, Vote Was:

AYES: 6 – Trustees Paveza, DeClouette, Sodikoff, Wott, Allen & Grela

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

RECOMMENDATION TO CONSTRUCT SIDEWALK ON 60TH STREET BETWEEN ELM STREET AND COUNTY LINE ROAD

Doug Pollock talked about the Pathway Commission's desire to have a sidewalk constructed on 60th Street between Elm Street and County Line Road. It has been a matter of discussion for several years. In 2008 a public meeting was held and as a result, staff was directed to investigate construction on the north side of the street. There are utilities on the south side that would block the sidewalk and a right of way is also needed. The only issue on the north side is the right of way needed for one property. The reason that this sidewalk has been on the Pathway Commission's agenda is that Elm School is located at one end of the block and Katherine Legge Park at the other end. The sidewalk would provide a connection for people living in between the two as well as people walking from the school to the park.



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Mr. Pollock said that in response to the public meeting, staff met with the property owner on the north side and it became clear that they were not agreeable to selling the right of way to the Village. The Pathway Commission discussed options to either construct the sidewalk on both sides of that property or to just build it to the west of where the property is needed. In the end, their formal recommendation was to proceed with the construction of the sidewalk, except for the one property, with the idea that someday that property is likely to be subdivided and construction of the sidewalk completed at that time.

Mr. Pollock continued that the principal of Elm School is supportive of a sidewalk. Staff is concerned about the liability the Village would incur building what is essentially an incomplete sidewalk. They have discussed this with the insurance provider and they are concerned that the Village would be at risk if a sidewalk were built with a dead end.

In answer to Mayor Grasso's questions, Mr. Pollock said the school stated that twice a year there are outings to Katherine Legge Park and the Burr Ridge police are called to provide an escort. The principal stated that they would do that more often if they had a sidewalk. There was also a resident on the north side that testified at the public meeting that there were 15-20 children that currently live on that block who she believes would take advantage of the sidewalk.

Trustee Wott said the children are better off on a sidewalk part of the way rather than not at all.

The issue of liability was discussed. The liability would be if someone were to come off the "partial" sidewalk, go onto the street and get hit by a car or trip.

Mr. Pollock said the property owner has lived there decades and they are concerned they would be losing property even though they would be compensated. They have a fence and landscaping that would have to be removed.

The costs of litigating for eminent domain, the prospect of this property being subdivided sometime in the future and possible easement rights were discussed.

John Pacocha, member of the Pathway Commission said if the Village waited until they could build an entire sidewalk from one end of the Village to the other he doubts it would ever be done. His concern with the liability issue, unless there has been some recent legislative change that would make this a concern now, is where this leaves the Village with respect to all of the situations already done. Up until just this year there was a gap on 91st Street almost right on the Burr Ridge Middle School property that was finally connected. On the south side of the Village there are a number of gaps. At the east end of the Village Center, it dead ends. People there can go to the other side, but are crossing absent a crosswalk.

A handwritten signature in black ink, appearing to be "Pjt", is located in the bottom right corner of the page.

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Mr. Stricker agreed that there are a lot of those types of situations and there are liability issues there, too. It's imperative, however, for him and the staff to point out the issues where this type of situation is being created. The proximity to the school is also a concern.

Mr. Pacocha stated that if this issue is defeated because of a liability concern – if it's on record with that, he believes the Village is exposing itself as to what has already been done and hamstringing the Pathway Commission to go forward in the future.

Mayor Grasso stated that the practicality of it is, when you balance the risks with the needs of the community, the fact that there is a school at one end and a park at the other end; it probably makes sense to do it even with a gap. However, that has to be discussed so the Board understands the pros and cons. Mr. Pacocha is making a very good argument as to why the Board should go with it but it is staff's job to point out the negatives. Mayor Grasso continued that it appears at least to him that it has a lot of benefit.

Motion was made by Trustee Wott and seconded by Trustee Grela to approve the Pathway Commission's recommendation to construct a sidewalk on 60th Street between Elm and County Line that is broken by the property at 15W070 60th Street.

Trustee Sodikoff suggested staff talk to the property owner once again since the project will be moving forward. It was also suggested that a property search should be done.

On Roll Call, Vote Was:

AYES: 6 – Trustees Wott, Grela, DeClouette, Sodikoff, Paveza & Allen

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

OTHER CONSIDERATIONS

AUDIENCE There were none at this time.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

Mayor Grasso reiterated there will be a meeting on March 30 at 7:00 in the Board Room of the Village Hall to update the residents of the results of the tree inventory. He further announced that on May 8th at 5:30 p.m. there will be a celebration/tribute to retiring Chief Herb Timm.

Mayor Grasso stated that there are a number of Villages that have severe fiscal issues and are looking at consolidating services on all levels. He will be giving the Board some articles regarding possible consolidation from the task force studying the issue.



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Trustee Allen said that because of the recent rains there was a lot of water coming from Katherine Legge Park and through his yard. The berm basically is destroyed from where it was years ago. The drain that is just immediately south of the tennis courts was blocked or clogged and instead of the water flowing over toward the reservoir it was backing up into the park and coming through that intersection and is still flooded. Several residents were there and are concerned that erosion has occurred next to the courts. Water basically goes downhill there. This may be an issue to be discussed with the Village of Hinsdale.

Paul May, Public Works Director, commented that there were a number of areas throughout the Village that had ponding over the weekend. Staff met with Hinsdale last week to bring this situation to their attention. Unfortunately, they had done some work prior to this rain event but obviously not enough. The drain was blocked with debris. Village crews were out there sandbagging in expectation of more rain this week. Hinsdale has acknowledged that it needs repair and until that time his staff will continue to watch it.


Trustee Grela said he and his neighbors had 3-4 ft. of water in their backyards. The bridge over Flagg Creek acts as a dam, not as a bridge. There was water slapping over the top of the bridge, although it was passable. Further south, by the chalet, the water was moving fine because it was being restricted at 80th Street. In the 19 years living there this was probably the second worst event of water on his property.

Mayor Grasso said he recalls this issue and the presentation and the assurance that this would not happen. He said that agreements with the Developer and Willow Springs would have had to be made and suggested that they be reviewed.

ADJOURNMENT Motion was made by Trustee Wott and seconded by Trustee Allen that the Regular Meeting of March 9, 2009 be adjourned.

On Voice Vote, the motion carried and the Regular Meeting was adjourned at 8:20 p.m.

PLEASE NOTE: Where there is no summary of discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item.



Karen J. Thomas
Village Clerk
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 23rd day of March, 2009.



**AGENDA
REGULAR MEETING – MAYOR & BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE**

**March 9, 2009
7:00 p.m.**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Jack Brennan
St. Isaac Jogues School**
- 2. ROLL CALL**
- 3. AUDIENCE**
- 4. CONSENT AGENDA – OMNIBUS VOTE**

All items listed with an asterisk (*) are considered routine by the Village Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen so request, in which event the item will be removed from the Consent Agenda.

5. MINUTES

- *A. Approval of Regular Meeting of February 23, 2009
- *B. Receive and File Draft Veterans Memorial Committee Meeting of February 25, 2009
- *C. Receive and File Draft Hotel Marketing Subcommittee Meeting of March 2, 2009

6. ORDINANCES

- A. Consideration of Ordinance Amending Section 58.01 of Chapter 58 (Water Works System) of the Burr Ridge Municipal Code

7. RESOLUTIONS

- A. Consideration of Resolution Authorizing an Agreement with Commonwealth Edison Concerning the 138 KV Transmission Line Area
- B. Consideration of Adoption of Resolution Approving Agreement Between the Village of Burr Ridge and Opus Real Estate, Inc. Regulating the Parking of Motor Vehicles and Controlling Motor Vehicle Traffic in the Burr Ridge Village Center

EXHIBIT A

8. CONSIDERATIONS

- A. Update on Commonwealth Edison's Proposed Plans to Remove/Trim Trees under Transmission Lines throughout Burr Ridge
- B. Consideration of Plan Commission Recommendation to Approve Special Use (Z-01-2009: 6800 North Frontage Road – Burr Ridge Medical Center)
- C. Consideration of Pathway Commission Recommendation to Construct Sidewalk on 60th Street Between Elm Street and County Line Road
- *D. Approval of Plan Commission Recommendation to Approve Sign Variations and Conditional Sign Approval (S-02-2009: 6800 North Frontage Road – Burr Ridge Medical Center)
- *E. Approval of Plan Commission Recommendation to Approve Variations Reversing Front and Corner Lot Lines and Reducing Rear Yard Setbacks (V-01-2009: 8100 Ridgepointe Drive – Kuhlman)
- *F. Approval of Recommendation to Purchase Road Salt for FY 09-10
- *G. Approval of Recommendation to Reappoint Sandra Allen to the Board of Fire and Police Commissioners for a Three-Year Term Expiring April 30, 2012
- *H. Approval of Request for Raffle License for District 106 Education Foundation and Hosting Facility License for Marriott Hotel
- *I. Approval of Request for Raffle License for Gower PTO and Hosting Facility License for Gower Middle School
- *J. Approval of Vendor List
- K. Other Considerations – For Announcement, Deliberation and/or Discussion Only – No Official Action will be Taken

9. AUDIENCE

10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

11. ADJOURNMENT